

UNITED STATES DISTRICT COURT

for

**EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION**

U.S.A. vs. Michael Gilbert

Docket No. 7:10-MJ-1179-1

Petition for Action on Probation

COMES NOW Chip Williams, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Michael Gilbert, who, upon an earlier plea of guilty to Driving While Impaired in violation of N.C.G.S. § 20-138.1 and assimilated by 18 U.S.C. § 13, was sentenced by the Honorable Robert B. Jones, Jr., U.S. Magistrate Judge, on October 13, 2010, to a 12 month term of probation under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall perform 48 hours of community service as directed by the probation office and if referred for placement and monitoring by the State of North Carolina, pay the required \$200 fee.
2. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
3. The defendant shall obtain a substance abuse assessment from an appropriate mental health facility within thirty (30) days from the date of this judgment and complete any prescribed treatment program. The defendant must pay the assessment fee and any added treatment fees that may be charged by the facility.
4. The defendant shall surrender his North Carolina driver's license to the Clerk of this Court for mailing to the North Carolina Division of Motor Vehicles and not operate a motor vehicle on the highways of the State of North Carolina except in accordance with the terms and conditions of a limited driving privilege issued by the appropriate North Carolina Judicial Official.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

As of October 5, 2011, the defendant has completed 21 hours of community service. He has been admonished on several occasions to complete all hours mandated by the court. It is recommended the violation be addressed by a six (6) month extension of the term of probation. The defendant signed a Waiver of Hearing agreeing to the proposed extension of supervision.

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PRAYING THAT THE COURT WILL ORDER that probation be modified as follows:

That the term of supervision be extended 6 months from the expiration date of October 12, 2011 until April 12, 2012.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

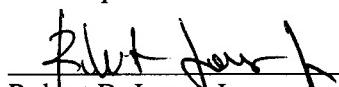
I declare under penalty of perjury that the foregoing is true and correct.

/s/ Kevin L. Connolley
Kevin L. Connolley
Supervising U.S. Probation Officer

/s/ Chip Williams
Chip Williams
U.S. Probation Officer
2 Princess Street, Suite 308
Wilmington, NC 28401-3958
Phone: 910-815-4857
Executed On: October 5, 2011

ORDER OF COURT

Considered and ordered this 5th day of October, 2011, and ordered filed and made a part of the records in the above case.



Robert B. Jones, Jr.
U.S. Magistrate Judge